

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**BH MEDIA GROUP, INC. *et al.*,**

**Plaintiffs,**

**v.**

**Case No. 3:19-cv-692**

**HAROLD W. CLARKE, in his official  
Capacity as Director of the Virginia Department  
of Corrections,**

**Defendant.**

**PLAINTIFFS' MEMORANDUM IN SUPPORT OF  
MOTION FOR ENTRY OF AGREED ORDER**

Plaintiffs, by counsel, submit this memorandum in support of their motion for the entry of the sketch Agreed Order attached to their motion as Exhibit A.

As directed in the Court's Order Setting Pretrial Conference (ECF No. 22), in advance of the pretrial conference on March 18, 2020, the parties, by counsel, conducted the conference required under Rule 26(f) of the Federal Rules of Civil Procedure. As part of the Rule 26(f) conference, the parties discussed scheduling issues. The parties memorialized their proposed plan in writing and addressed it with the Court during the March 18, 2020, pretrial conference. The Court directed the parties to revise the plan, particularly in respect to deadlines for motions to exclude expert witnesses and for final pretrial disclosures, and to then submit the plan as an agreed order for the Court's consideration and entry.

The sketch Agreed Order attached to Plaintiffs' motion as Exhibit A reflects the parties' attempt to revise deadlines in accordance with the Court's instructions. It has been agreed to by all the parties. The parties apologize for not submitting the sketch order sooner. The delay is

due in part to restrictions related to COVID-19 and to the parties' good faith efforts to negotiate fact stipulations.

WHEREFORE, Plaintiffs, with the agreement of Defendant, respectfully request that the Motion be granted, that the Court enter the sketch Agreed Order attached to the Motion as Exhibit A, and that the parties be awarded any additional relief the Court deems fair and just.

Date: April 16, 2020

Respectfully submitted,

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*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 16th day of April 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record.

/s/ David B. Lacy  
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